

ELEMENT BY ELEMENT COMPARISON OF A BASIN TOTAL MAXIMUM DAILY LOAD (TMDL) AND IMPLEMENTATION READY TMDL

TMDL ELEMENTS	ELEMENT OBJECTIVE	LEGAL AUTHORITIES	BASIN TMDL	IR TMDL
^a Location Scope	Identify the name and geographic location of the impaired or threatened waterbody for which the TMDL is being established.	OAR 340-042-0040(4)(a)	Typically developed at a basin or subbasin scale.	IR TMDL elements identified at the watershed, stream, or stream reach scale although the entire TMDL may be developed at the basin or subbasin scale.
^b Beneficial Uses	Identify the beneficial uses.	OAR 340-042-0040(4)(c)	Same	Same
^c Pollutant	Identify the pollutant causing the impairment.	OAR 340-042-0040(4)(b)	Same	Same
^d Target/ Loading Capacity	Identify the greatest amount of a pollutant that a waterbody can assimilate and still meet water quality standards.	OAR 340-042-0040(4)(d), 40 CFR 130.2(f), 40 CFR 130.2(f)	Same	Same
^e Excess Load	Identify the amount or degree by which the current pollutant load in the waterbody deviates from the pollutant load needed to attain or maintain water quality standards.	OAR 340-042-0040(4)(e)	Identified by sector, watershed, or stream.	Identified by watershed, stream, stream reach, or responsible persons and Designated Management Agencies.
^f Source Assessment/ Linkage Analysis	Identify the pollutant sources and estimates, to the extent existing data allow, the amount of actual pollutant loading from these sources.	OAR 340-042-0040(4)(f)	Identified using various methods, models, and data.	Identified using various methods, models, and data; particularly additional data about potential non-point sources.
^g Waste Load Allocations	Identify the surrogate measures or portion of the receiving water's loading capacity that are allocated to point sources.	OAR 340-042-0040(4)(g), 40 CFR 130.2(h)	Identified by sector or NPDES source.	Identified by NPDES source.
^h Load Allocations	Identify the surrogate measures or portion of the receiving water's loading capacity that are allocated to nonpoint sources and natural background sources	OAR 340-042-0040(4)(h), 40 CFR 130.2(g)	Identified by sector, watershed, or stream.	Identified by designated management agencies or responsible persons.
ⁱ Surrogate Measures	Identify other appropriate measures to attain the Target/Loading Capacity.	OAR 340-042-0040(5)(b), 40 CFR 130.2(i)	Identified by sector, watershed, or stream.	Identified by watershed, stream, stream reach, or responsible persons and/or designated management agencies.
^j Reserve Capacity	Identify the portion of the receiving water's loading capacity that has not been allocated to point sources or to nonpoint sources, for use by new or future sources.	OAR 340-042-0040(4)(k), 40 CFR 130.2(h)	Same	Same
^k Margin of Safety	Identify the implicit or explicit margin of safety that accounts for the uncertainty in the response of the waterbody to allocations.	OAR 340-042-0040(4)(i), 40 CFR 130.7(c)(2)	Same	Same
^l Seasonal Variation	Identify the seasonal or interannual variation in the pollutant loading.	OAR 340-042-0040(4)(j), 40 CFR 130.7(c)(2)	Same	Same

ELEMENT BY ELEMENT COMPARISON OF A BASIN WATER QUALITY MANAGEMENT PLAN (WQMP) AND IMPLEMENTATION READY WQMP

WQMP ELEMENTS	ELEMENT OBJECTIVE	LEGAL AUTHORITIES	BASIN WQMP	IR WQMP
^a Management Strategies	Proposed management strategies designed to meet the TMDL allocations.	OAR 340-042-040(4)(I)(C), OAR 340-042-0080(1), 40 CFR 130.2(m)	Description of the management strategies.	Description and estimate of the number of management strategies that will meet the TMDL allocations.
^b Timelines	Identify the timeline for implementing management strategies, including attainment of water quality standards	OAR 340-042-040(4)(I)(D), OAR 340-042-040(4)(I)(F)	No timeline or generalized timeline without milestones.	Timeline with milestones for identified management strategies, and estimated pollutant load reductions.
^c Water Quality Standards Attainment	Explanation of how implementing the management strategies will result in attainment of water quality standards	OAR 340-042-040(4)(I)(E)	Description of the management strategies relationship to pollutant reduction.	Description of the management strategies relationship to pollutant reduction.
^d Responsible Persons and Designated Management Agencies (DMAs)	Identification of persons, including Designated Management Agencies (Designated Management Agencies), responsible for implementing the management strategies and developing implementation plans	OAR 340-042-040(4)(I)(G), 40 CFR 130.2(n)	Identification of Designated Management Agencies only.	Identification of Designated Management Agencies and responsible persons, including private landowners, if they are identified as significant sources.
^e Existing Implementation Plans	Identification of implementation plans that are available at the time the TMDL is issued.	OAR 340-042-040(4)(I)(H)	List of existing implementation plans.	List of existing implementation plans and explanation of the plans' sufficiency to meet TMDL allocations.
^f Implementation Plan Development and Revision	Schedule for preparation and submission of implementation plans by responsible persons, including Designated Management Agencies, and processes that trigger revisions to these implementation plans	OAR 340-042-040(4)(I)(I), OAR 340-042-0080(4)(a)(C)	Schedule for developing implementation plans and description of revision protocol.	Schedule for developing implementation plans and description of revision protocol with additional detail.
^g Reasonable Assurance	Description of reasonable assurance that management strategies and implementation plans will be carried out through regulatory or voluntary actions.	OAR 340-042-040(4)(I)(J), CWA 303(d)(1)(c), and 301(b)(1)(C)	Description of implementation processes.	Description of implementation processes including description of how an IR TMDL as a whole provides additional reasonable assurance.
^h Performance Monitoring	Identify the plan to monitor and evaluate progress toward achieving TMDL allocations, persons responsible for monitoring, and schedule for reviewing monitoring information.	OAR 340-042-040(4)(I)(K), OAR 340-042-0080(4)(a)(C)	Identify monitoring organizations and schedule for data review and TMDL revision.	Identify monitoring organizations, monitoring objectives, frequency, and suggested monitoring locations.
ⁱ TMDL Revision	Identify a schedule for revising the TMDL.	OAR 340-042-040(4)(I)(K)(ii)	Identify a general schedule (5 years).	Identify an adaptive management process with a schedule for data review, including performance monitoring data, and a schedule for TMDL revisions.
^j Public Involvement	Identify the plan for public involvement in implementing management strategies	OAR 340-042-040(4)(I)(L)	Description of TMDL implementation process open to public involvement.	Identify a schedule for reconvening the TMDL local stakeholder advisory committee and other interested persons to review the status of implementation of management strategies. DEQ will accept public comment on implementation plans prior to review and approval by DEQ.
^k Long Term Implementation	Description of planned efforts to maintain management strategies over time.	OAR 340-042-040(4)(I)(M)	Same	Same
^l Costs	General discussion of costs and funding for implementing management strategies.	OAR 340-042-040(4)(I)(N)	Identify local, state, and federal funds available for TMDL implementation.	Identify local, state, and federal funds available for TMDL implementation. Estimate of cost to implement management measures by watershed, stream, stream reach, or responsible persons and Designated Management Agencies.
^m Legal Authorities	Citation of legal authorities relating to implementation of management strategies.	OAR 340-042-040(4)(I)(O)	Same	Same
ⁿ Other Analysis or Information	Identify any other analysis or information to be prepared and submitted in an implementation plan.	OAR 340-042-0080(4)(a)(E)	Varies based on specific situation.	Varies based on specific situation.

GLOSSARY OF TERMS

TERM	DEFINITION	LEGAL CITATION
Background Sources	Sources of pollution or pollutants not originating from human activities. In the context of a TMDL, background sources may also include human caused sources of a pollutant that the DEQ or another Oregon state agency does not have authority to regulate, such as pollutants emanating from another state, tribal lands or sources otherwise beyond the jurisdiction of the state	OAR 340-042-030(1)
Designated Management Agency (DMA)	A federal, state or local governmental agency that has legal authority over a sector or source contributing pollutants, and is identified as such by the Department of Environmental Quality in a TMDL.	OAR 340-042-030(2)
Implementation Plan	A plan for implementing a Water Quality Management Plan for a specific sector or source not subject to permit requirements in ORS 486.050. The elements of an implementation plan are described in OAR 340-042-0080.	OAR 340-042-030(11)
Management Strategies	Measures to control the addition of pollutants to waters of the state and includes application of pollutant control practices, technologies, processes, siting criteria, operating methods, best management practices or other alternatives.	OAR 340-042-030(6)
Non-point Source	Any source of pollution other than a point source; and generally is a diffuse or an unconfined source where wastes can either enter into or be conveyed by the movement of water to waters of the state.	ORS 468B.005(3), OAR 340-041-0002(42)
Performance Monitoring	Monitoring implementation of management strategies, including implementation plans, and resulting water quality changes.	OAR 340-042-030(7)
Point Source	Any discernible, confined and discrete conveyance, including but not limited to a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, from which pollutants are or may be discharged. "Point source" does not include agricultural storm water discharges and return flows from irrigated agriculture.	ORS 468B.005(4), OAR 340-041-0002(46)
Reasonable Assurance	Reasonable Assurance means a demonstration that a TMDL will be implemented by federal, state or local governments or individuals through regulatory or voluntary actions including management strategies or other controls.	OAR 340-042-030(9)
Source	Source means any process, practice, activity or resulting condition that causes or may cause pollution or the introduction of pollutants to a waterbody.	OAR 340-042-030(12)
Surrogate Measures	Substitute methods or parameters used in a TMDL to represent pollutants.	OAR 340-042-030(14)
Total Maximum Daily Load (TMDL)	A written quantitative plan and analysis for attaining and maintaining water quality standards and includes the elements described in OAR 340-042-0040. These elements include a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet state water quality standards, allocations of portions of that amount to the pollutant sources or sectors, and a Water Quality Management Plan to achieve water quality standards. TMDL is the sum of the individual waste load allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources and background and can be expressed in terms of either mass per time, toxicity, or other appropriate measure.	OAR 340-042-030(15), OAR 340-041-0002(65)
Water Quality Management Plan (WQMP)	The element of a TMDL describing strategies to achieve allocations identified in the TMDL to attain water quality standards.	OAR 340-042-030(17)

